Bishop Springs Rest Area
Recreation & Public Purposes Lease
OR 60165
EA #OR-035-04-04

1.1 Introduction

1.1 Purpose and Need for Proposed Action

Baker County has submitted an application to lease a site on public land, known as Bishop Springs, pursuant to the Recreation and Public Purposes (R&PP) Act. The proposed lease area is approximately 1.16 acres in size and is located along Highway 86 between Baker City and Richland. The purpose of this proposal is to establish a roadside rest area. There currently are no public restroom facilities along this highway between Baker City and the Snake River.

Highway 86 is a portion of the Hells Canyon All-American Road, which runs from La Grande to Baker City via Enterprise and Halfway. The Bishop Springs site is identified as a "target site" in the Conceptual Wayfinding and Interpretive Recommendations of August, 2003, prepared by Sea Reach, Ltd., for the Oregon Travel Information Council. This stretch of the highway is also part of BLM's Snake River/Mormon Basin Back Country Byway, a loop route that runs from Baker City to Richland, along the Snake River to Huntington, through Mormon Basin and over Dooley Mountain back to Baker City.

Because of these designations, this highway presumably receives more tourist travel than would otherwise be the case. The lack of restroom facilities along this highway has been raised as a concern for some travelers. A petition was circulated in the Halfway area that proposed establishing a rest area at the location and received over 1000 signatures. Authorizing this site for the proposed use would meet the objective of providing such a facility at a logical location.

1.2 Decision to be Made

The Vale District Manager must decide whether this site is to be classified as suitable for lease or conveyance under the R&PP Act, and, if so, whether this specific proposal is to be approved and the site leased to the County.

1.3 Public Notification

Potentially affected interests were identified and letters were sent informing them of the proposal, inviting comment and informing them how to obtain a copy of this environmental assessment (EA) after it is completed. A list of these interests is included on Page 12. The proposal and pending EA were also listed in the register on the Vale District's web site on the internet.

After this EA is completed, a notice of its availability will be published in local newspapers and a copy will be sent to those requesting it, if any. The EA will also be published on the Vale District's web site. A comment period of at least 30 days will be provided.

1.4 Issues Identified

This EA will analyze the impact on the checklist of resources contained in BLM's Washington Office Instruction Memorandum 90-95: Compliance with the National Environmental Policy Act for Right-of-Way and Land Actions. No other issues have been identified.

1.5 Conformance with BLM Land Use Plans

The site of the proposed action lies within the area covered by the Baker Resource Management Plan (RMP), approved July 12, 1989, and is located within the Keating Riparian Geographic Unit designated in the RMP. Management direction found on page 23 of the RMP includes authorizing potential use by lease, if the following criteria are meant:

- The use does not conflict with riparian area management, important wildlife habitat, recreational use of public lands, or other significant resource values.
- The use is compatible with historical use on adjacent private lands.
- The use would maintain or enhance other resource values, such as providing habitat requirements for game and non-game wildlife species.

1.6 Relationship to Other Plans

Baker County has zoned the area Exclusive Farm Use. The proposed use is compatible with this zoning under a Conditional Use Permit.

1.7 Statutes, Laws and Regulations Affecting the Proposal

The proposed lease would be authorized by the Recreation and Public Purposes Act of June 14, 1926, as amended (43 U.S.C. 869-4). This act authorizes the sale or lease of public lands for recreational or public purposes to State and local governments and to qualified nonprofit organizations. Appropriate public purposes under the act includes projects such as the one considered here.

The lease would also be authorized by Section 212 of the Federal land Policy and Management Act of October 21, 1976, (FLPMA), which continues and amends the R&PP Act. The lease would be granted and administered under regulations found at 43 CFR 2740 and 2912.

Additionally, the facility would have to comply with any applicable DEQ regulations.

1.8 General Setting and Background Information

See the photo of the site attached.

The site of the proposed action lies on the north side of Oregon State Highway 86, approximately 25 miles east of Baker City and 16 miles west of Richland. The highway follows the north bank of the Powder River. The subject site, then, is on the opposite side of the highway from the river. The river in this vicinity flows through a narrow winding canyon with steep but relatively short side slopes. The site exists as a long narrow flat area alongside the highway, between the highway embankment and the toe of the side-slope. It includes the former roadbed of the highway. Elevation at the site is 2548 feet.

The site lies at the mouths of Crystal Palace Gulch and Corral Gulch, two small perennial streams which rise in the hills to the north and emerge from small V-shaped side canyons into the river canyon, about 375 feet apart. Crystal Palace Gulch flows through the site near the west end. Most of its length through the site is carried by a 30-inch culvert. Corral Gulch effectively forms the east boundary of the site, as the site dead-ends at the west bank of this gulch.

The subject location is the site of a former roadside rest area which existed for more than 50 years. In 1929, a parcel of 77.31 acres which included the subject site was patented to the State of Oregon pursuant to the R&PP Act for a rest area. Facilities at the site consisted of a primitive toilet and a drinking fountain. The source of the drinking water was a spring box located a short distance north of the site, alongside Crystal Palace Gulch.

In 1982 the State discontinued use of the site and, in accordance with requirements of the R&PP Act, reconveyed the acreage to the United States. The toilet was removed and the fountain head was plugged. However, the spring box remains and is still functioning, with water often flowing out of the end of a pipe near the former fountain site, located in a small grove of six cottonwood trees next to the highway embankment near the west end of the site. The fountain bowl, a bowl-shaped area carved out of a large boulder, is still there. Also present is a short constructed walkway about 12-15 feet long leading into the grove of trees to the former fountain area, and several large boulders for seating and/or ornamentation.

Although there are presently no rest room facilities, travelers often pull off the highway and park in the shade of the trees. Some may get a drink from the water flowing out of the pipe, however, the water has not been tested and the quality for drinking is not known.

The east end of the site has been used in recent years for stockpiling rock and soil material by the Highway Department.

2.0 Proposed Action and Alternatives

The Proposed Action is the establishment of a small roadside rest area at the site of a former rest area. The site is within the following described location:

WM, T. 9S., R. 44E., section 6, lot 4.

Also see the map attached and proposed site plan attached.

The proposal consists of the following actions:

1. Construct/remove approaches off highway. Presently, there are two entrances into the site from the highway, one on either side of the small grove of trees near the west end of the site. The west entrance would essentially remain as it is. The present east entrance, between the trees and Crystal Palace Gulch, would be eliminated. The ramp would be excavated and removed, probably with a trackhoe, and the area leveled. A barrier may be placed along the highway's edge, using concrete barriers or perhaps rocks.

A new approach would be constructed at the east end of the site, allowing traffic to flow through its entire length without having to turn around. The approach would be constructed by bringing in fill material by dump truck and placing it at the chosen spot. The material would be compacted and shaped to create a ramp to carry traffic off the highway down into the site. Equipment used would include a dozer, grader, and roller. A water truck would be available for dust abatement and to aid in compacting the material. The ramp would covered by gravel surface.

2. Lengthen the culvert carrying Crystal Palace Gulch through the site. This would make the travel way wider and avoid a possible traffic bottleneck. This would be done either by adding extensions to both ends of the existing culvert, or by removing the existing culvert and replacing it with a longer one. If the latter, a larger diameter pipe would likely be installed, to reduce the chances of plugging.

If the existing pipe is replaced, it would be uncovered with an excavator and lifted out. The fill material removed would be temporarily stockpiled nearby. The channel bottom would be cleaned and shaped to accommodate the new culvert. The new pipe would then be set and adequate backfill would be placed to protect the culvert pipe and thoroughly compacted.

If the existing culvert is left in place, the draw channel at each end would be cleaned and properly shaped, the extensions installed and adequate fill placed.

In-stream work would be done between July 1 and October 31, to comply with requirements of Oregon Department of Fish and Wildlife.

3. Widen the parking strip to allow angle parking of passenger vehicles. This would include excavating and removing soil next to the highway embankment east of Crystal Palace Gulch, then smoothing, leveling and shaping for proper drainage, bringing in additional fill material if needed. A gravel surface would be applied. Also, the stockpiles of rocks and soil material at the east end, if not used for fill or barriers, would be hauled away. Equipment used could include dozer, loader, grader and dump truck.

4. Install a Gunnison style vault toilet. The toilet would be installed along the north edge of the site, at the toe of the slope. It would be located east of Crystal Palace Gulch at an adequate distance from the gulch to meet DEQ requirements.

The hole for the vault would be excavated with a backhoe. Dimensions of the hole would be about 8 feet by 13 feet by 52 inches deep. Sand or aggregate bedding material would be placed in the excavation. The concrete vault and building structure, all in one pre-constructed unit, would be set in place with a crane. Excavated material would be used for backfill around the vault. Excess excavated material would be spread and graded around the structure.

5. Install picnic table, benches, and signs. A small picnic area would be established near the cottonwood grove, between it and Crystal Palace Gulch. At least one picnic table would be placed. Benches may also be placed nearby, perhaps at a later date. The table and benches may be placed on concrete footings, which would require shallow excavations with hand tools. Rocks for barriers may be placed to protect the site from traffic and for general attractiveness.

A sign would be installed to warn visitors that the water has not been tested and is not suitable for drinking. The proposed action does not include providing drinking water; however, water would continue to flow out of the pipe (see General Setting and Background Information above). The old spring box lies outside of the proposed lease area and would not be maintained.

A larger sign, providing some geological and historical information about the site, may also be installed, probably at a later date. This would likely be located on the west bank of Crystal Palace Gulch, near the north edge of the site. Both signs would require small excavations for the post holes.

6. Possibly, at some future date, plant some trees and shrubs for landscaping and beautification of the site, and perhaps for additional shade. Most or all of these would probably be in the west portion of the site, in the vicinity of the cottonwood grove and picnic area.

Maintenance of the site would consist of routine actions to keep the site serviceable and attractive to the public, such as repair and replacement of items as necessary. A trash receptacle would be placed onsite and emptied as needed. The toilet would be pumped out as necessary, possible no more than once a year.

The only alternative considered is No Action, in which case the site would be left in its present condition and no additional improvements would be installed. Presumably, travelers would still occasionally stop at the area to take a break, eat lunch, or perhaps get a drink of water.

3.0 Environmental Consequences of the Proposed Action

This section will address the anticipated impacts of the Proposed Action, considering the checklist of resources previously mentioned (see 1.4 Issues Identified above).

3.1 Critical Elements

The following Critical Elements are not present, or would not be affected by the proposed Action, and are not discussed: Areas of Critical Environmental Concern, Environmental Justice, Prime/Unique Farmlands, Threatened/Endangered Plants, Animals, and Fish, Tribal Concerns and Treaty Rights, Wild & Scenic Rivers, and Wilderness.

3.1.1 Air Quality

Air quality at the site is very good. The area is not a non-attainment area as defined in the Clean Air Act.

The only expected impact on Air Quality would be some dust raised during construction of the new entrance, excavation activities, and other “dirt” work. The impact would be minor, highly localized, and short-term. As soon as the work is completed, it would quickly clear up. The use of the water truck, if needed, would abate this. There is not expected to be any effect to traffic on the highway.

3.1.2 Cultural/Historic Resources

An intensive survey of the proposed lease area documented the 1929 features of the original Bishop Spring Rest Area, including the spring box, fountain, and rock-edged pathway. The location was named for J.N. Bishop, Baker County Engineer in the 1920s. The remaining features of the rest area would not be affected by the proposed lease development, and are considered Not Eligible for the National Register. Consultation with the Oregon State historic Preservation Office and Tribes would be completed prior to making a decision on the proposed lease.

3.1.3 Drinking/Ground Water Quality

The water supply to the now non-existent water fountain is still there and runs out the end of a pipe. Though no longer considered drinking water quality, people occasionally get a drink and it is assumed they would continue to. The Proposed Action would have no effect on the ability for someone to get a drink if he chooses to. A sign would warn the public that the water is not potable.

The toilet that would be installed has a sealed vault, so there would be no leaching and no effect on ground water from its presence and use.

3.1.4 Floodplains

The narrow canyon bottom in this area is not a designated floodplain. There would be no effect.

3.1.5 Solid/Hazardous Waste

A negligible amount of rubbish was observed at the site, consisting of a few scattered items. Trash dumping here has not been a problem, so far as is known. There is no indication of any hazardous release.

Drawing more people into this site could increase trash problems. The provision of a trash receptacle, as indicated in the description of the Proposed Action, should alleviate this potential problem.

3.1.6 Wetlands/Riparian Areas

Crystal Palace Gulch flows through the site near its west end and Corral Gulch flows adjacent to the east end. Both are small perennial streams with a narrow riparian strip along the watercourse. Vegetation consists mainly of cattails and some grass. There is also some rose along Corral Gulch. Much of the length of Crystal Palace Gulch through the site is in a culvert pipe and it has very little riparian vegetation.

The work in replacing and/or extending the culvert in Crystal Palace Gulch would eliminate much of its riparian vegetation within the site. A gap of at least four feet must be left between the lower end of the culvert and the concrete “box” culvert under the highway, to allow room for cleanout, so some vegetation would remain there. There would also be a short segment of riparian vegetation above the culvert, within the site.

Cleanout and other maintenance of the culvert would disturb riparian vegetation, but it would be expected to recover.

The effect on riparian vegetation on Corral Gulch would be negligible, if any. No work would be done in this stream or immediately adjacent to it. It is possible that spoil material from nearby work could spill or wash into the stream, but there would be virtually no impact to the vegetation.

The possible future plantings may have the potential of enhancing the riparian vegetation at Crystal Palace Gulch.

3.2 Other Environmental Components

3.2.1 Vegetation

Most of the site is devoid of vegetation as it apparently was cleared off many decades ago for its use as the former highway and rest area. Much of the site is covered by gravel and it appears that at one time some or all of it was covered with asphalt.

The sparse vegetation that is present consists of annual species such as cheatgrass, mullein, Russian thistle, and tumblemustard. There are a few big sagebrush, gray rabbitbrush, and bitterbrush plants around the edge of the site. And there is the aforementioned small clump of cottonwood trees.

It is presumed that virtually all vegetation east of Crystal Palace Gulch would be destroyed in the smoothing and leveling activities. Some of the vegetation west of the gulch would be disturbed or destroyed by the establishment of the picnic area. Nearly all of this would be annual species. Very little perennial vegetation would be affected.

One or two shrubs near the new east entrance may be removed to improve visibility. Some limbs may be cut off the cottonwood trees.

The possible future plantings would likely increase the total vegetation present on the site, though with different, possibly non-native species.

3.2.2 Soils

The soil map unit in the vicinity is Lickskillet-Rock outcrop complex, according to the Soil Survey of Baker County Area, Oregon. The Lickskillet soil is described as shallow and well drained, with a dark brown very cobbly loam surface layer. Permeability is moderate, runoff is rapid, and the hazard of water erosion is high or very high.

In excavating for the toilet, the soil profile would be destroyed and the soil would be removed in an area of about 8 by 13 feet. Soil elsewhere on the site would be compacted, disturbed and/or dislocated in the construction of the east entrance and enlargement of the parking area.

Disturbed and loosened soils would be vulnerable to water erosion, especially given that this soil unit is highly erosive. However, the flat slope would largely mitigate that potential.

3.2.3 Water Resources

The site is within a short distance of the Powder River; however, it is located on the opposite side of Highway 86 from the river. The presence of the highway and its embankment would insulate the river from any direct effects.

Effects on Corral Gulch would be minimal, if any. The loosened and stockpiled soil that might be present during nearby construction activities provides the potential that this material could spill or be washed into the stream, and then carried into the river. Any impacts are expected to be negligible and short-term.

Effects on water quality in Crystal Palace Gulch would be temporarily affected during the culvert work. Effects would be reduced by complying with the in-stream work window, when flow is minimal in the gulch.

If the existing pipe is removed, the excavation and removal would result in material spilling into the stream. Cleaning and shaping the channel and installing the new pipe or extensions would loosen material and cause it to be carried away by the flow. This would have the effect of increasing the turbidity at the site and immediately downstream. As soon as the material enters the Powder River, it would quickly be diluted and the effect would be minimized. Further downstream in the river, it would be negligible. As soon as the culvert work is completed, the water would clear up and there would be no long-term impact.

There would also likely be a temporary increase in turbidity in Crystal Palace Gulch during the first high flow event after the culvert work is completed, due to washing away of loosened material. There would be virtually no effect to the river, since it also would have a relatively high volume of water and sediment load at that time.

3.2.4 Wildlife Habitat

The site lies within crucial mule deer winter range, and the river corridor provides important habitat for many species, including some waterfowl. The small grove of cottonwoods is probably used by a few songbird species but, otherwise, the habitat provided at this specific site is negligible. There would be virtually no impact to any habitat.

The general commotion during construction activities may frighten wildlife away from the immediate vicinity for a time, and the increase in travelers stopping at the site may have a continuing effect. However, since the highway has been in

existence for many decades, this added effect would be minor. It is expected that wildlife would become accustomed to this added activity and there would be no long-term effect.

3.2.5 Fisheries

Redband trout is the only significant species in the Powder River in this vicinity.

Any impact to fishery habitat would be related to water quality impacts at the mouth of Crystal Palace Gulch, which would be minimal and short-term.

3.2.6. Livestock Forage, Management, and Improvements

The site lies adjacent to Bacher Creek Allotment #2111, under permit to Phillips Ranch. Although the described lease boundary may encroach into the allotment, there would be no practical effect and the use and management of the grazing allotment would not be affected. An old barbed-wire fence in fair condition forms part of the boundary between the allotment and the subject site. The fence ties into a near-vertical bluff which forms the rest of the boundary. A narrow walk-through gate in the fence alongside Crystal Palace Gulch gives walking access to the old spring box.

3.2.7 Noxious Weeds

A few scotch thistle plants were observed within the site. Scotch thistle also exists within a few feet above the site along Crystal Palace Gulch. The activity and disturbance during implementation of the Proposed Action could increase the site's vulnerability to weed invasion.

3.2.8 Recreation Resources and Activities

No present recreational resources or activities would be affected. The Proposed Action would provide a convenient rest stop for travelers along Highway 86. Some of this travel would be recreational sight-seeing type.

3.2.9 Visual Resources

The area is rated Class II Visual Quality, due to the variety in topography and vegetation and the presence of the river. In this class, the objective is to retain the existing character of the landscape. The level of change to the characteristic landscape should be low. Management activities may be seen, but should not attract the attention of the casual observer.

Since this site is essentially already prepared for the Proposed Action, there would be virtually no change to the existing landscape. Because the location is in narrow canyon on a winding highway, the site is not visible to travelers except

for a few seconds as they pass by it. The site presently probably attracts the attention of some travelers. The additional attention attracted by the new facilities would be quite low and brief.

3.2.10 Mineral Resources

No claims or other mineral related activities would be affected. A mineral potential report will be prepared in accordance with BLM procedures and requirements.

3.2.11 Other Land Uses and Rights

A buried telephone line, owned by Eagle Telephone System, runs along the opposite side of the highway and would not be affected. The highway itself would not be affected except perhaps some temporary disruption of traffic during construction of the east entrance. The proposed facility would provide a long-term enhancement to travel on the highway.

3.2.12 Access

There would be no effect on access to public lands. Travel on the highway would likely be temporarily affected during some of the construction. Flaggers would be employed to slow traffic if necessary.

3.2.13 Socio/Economic Effects

Today's traveling public desires clean and convenient restroom facilities. The Proposed Action would provide such a facility.

3.3 Cumulative Impacts

Cumulative impacts are the combination of effects of past, present, and reasonably foreseeable future activities on the subject parcel and where they may exacerbate or add incrementally to the effects from activities on nearby areas.

Impacts identified are related to impacts resulting from the past and ongoing presence of the highway and its use and maintenance. Impacts from the Proposed Action would be added incrementally to the impacts from the highway and its effect on Air Quality, Riparian Vegetation, Water Quality, Wildlife, and Visual Resources. The addition of the impacts from the Proposed Action to those already occurring would be insignificant.

4.0 Environmental Consequences of No Action

Under this alternative, the Proposed Action would not be implemented. The described activities and facilities would not be installed and the impacts described would not occur.

Travelers would continue to occasionally park at the site, with negligible disturbance to wildlife as a result. There would be a potential for trash dumping. The site would continue to be briefly visible to travelers as they drive by.

5.0 Mitigating Measures

The lessee should apply the following mitigating measures:

- If the existing culvert is determined to be inadequate to accommodate a 100-year flood, replace it with an adequate culvert, rather than extend the existing one.
- Comply with the in-stream work window of July 1 to October 31 for the culvert work.
- Minimize, as much as reasonable, deposition of material into Crystal Palace Gulch.
- After the culvert work is completed, remove any spoils from the creek channel.
- Avoid deposition of any material into Corral Gulch or its riparian area.
- Keep facilities clean and in good condition.
- Provide trash pickup as necessary.
- Pump out the toilet vault as necessary.
- Provide weed control as needed. Consult with the authorized officer regarding herbicide use. Weed control must be in accordance with the Vale District 5-Year Weed Control Plan.
- If soil erosion is a problem, seed designated areas as directed by the authorized officer.

6.0 Residual Impacts

Residual impacts would be those described in the Environmental Consequences section.

7.0 Contacts and Consultations

Letters were sent to the following parties advising them of the project, inviting their comment and informing them how to receive a copy of this EA when it is completed.

- Phillips Ranch, grazing permittee and nearby land owner
- Eagle Telephone System, Inc., owner of buried phone line along highway

The Baker County Planning Department was contacted regarding zoning and floodplain designation.

Meetings of the Bishop Springs Rest Area Group were attended to provide and to acquire various items of information.

Ken Helgerson and Rick Holden of the Baker County Road Department and Brad Payton of Oregon Department of Transportation were consulted onsite regarding construction activities and procedures.

8.0 Participating Staff

The following members of the Baker Field Office staff contributed to the preparation of this document:

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